

HOUSE JOURNAL

FORTY-SIXTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIRST DAY

(Tuesday, January 10, 1939)

In accordance with the Constitution and laws of the State of Texas, the Members-elect of the House of Representatives of the Forty-sixth Legislature assembled this day in the Hall of the House of Representatives in the City of Austin; and at 12 o'clock meridian, Hon. Edward Clark, Secretary of State, called the Honorable House to order.

Rev. Guy H. Wilson, Presiding Elder, Marshall District, M. E. Church, South, upon invitation of the Honorable Secretary of State, offered prayer.

PRESENTATION OF GOV. JAMES V. ALLRED

The Hon. Edward Clark, Secretary of State, presented the Hon. James V. Allred to the House and to the assembly.

TEMPORARY ORGANIZATION

The Honorable Secretary of State announced the appointment of the following temporary officers and employees:

Chief Clerk, Louise Snow Phinney.
Parliamentarian, Mrs. Oveta Culp Hobby.

Sergeant-at-Arms, Ernest Boyett.
Chaplain, Guy H. Wilson.

Assistant Sergeant-at-Arms, (floor), John D. Rogers.

Assistant Sergeant-at-Arms, (floor), James Colvin.

Assistant Sergeant-at-Arms, (gallery), Gaston Bond.

Reading Clerk, Clarence Jones.

Journal Clerk, Gussie Evans.

Superintendent of Stenographers, Donna M. Byerly.

Doorkeeper, E. R. Lindley.

Assistant to Doorkeeper, G. A. Atkinson.

Assistant to Doorkeeper (back door), Luther Guthrie.

Assistant to Doorkeeper (Sergeant-at-Arms door), Joe Slavik.

Voting Machine Operator, James Frances.

Postmaster, E. J. Lockhead.

Temporary Supply Room Clerk, John Holly.

Temporary Nightwatchmen, Seth Wood, Jr., James Gee, Leroy Burns.

Page to the Speaker, Charles S. McCombs.

Page to Journal Clerk, Allen Hamilton.

Page to Doorkeeper, John Heath.

Page to Assistant Doorkeeper, Olin Crow.

Elevator Operator (back elevator), Guy Hawkins.

Head Porter, George Hunt.

Maid for Ladies Lounge, Myrtle Hamm.

Stenographers

Mrs. Harriette Kunz, Ruth Hobson, Jean Bevan, Iva Dell McCanlies, Clara Heffington, Kate Carroll, Margaret Sue Jarrell, Mary Jo McAngus, Mrs. Mary McElree, Dorothy Burk, Florence Mauritsen, Mrs. Dorothy Hallman, Carmen Callahan, Gladys Robinson, Robert Sikes, Jesse Humphreys, Merle Copeland, Mrs. L. W. Davis.

Pages

Willie Davis, Quinton Wilson, Dan Brook Gilliam, Charles Stokes, Bob Martin, Don White, Lowell Lindgren, Leland Lentz, N. W. Cunningham, Homer Burleson, Charlie Yant, Wilbur Grimes, James Bray, Jack Shots.

Porters

Rufus Pope, Newton Collins, Ed Howard, Frank James, John Roberts,

Clarence Gilbert, Willie Robinson, Henry Blair, porter for men's wash-room.

ROLL OF MEMBERS SHOWING DISTRICTS REPRESENTED

The Honorable Secretary of State directed the Clerk to call the roll of Members-elect according to representative districts.

The roll was called, as follows:

District No. 1—Joseph White, Jr.
 District No. 2—Abe M. Mays.
 District No. 3—George H. Harper.
 District No. 4—Mat Davis.
 District No. 5—Robert H. Wood.
 District No. 6—Clayton Bray.
 District No. 7—Lon E. Alsup.
 District No. 8—Walter A. Ferguson.
 District No. 9—R. Lee Brown.
 District No. 10—J. J. Oliver.
 District No. 11—M. N. Westbrook.
 District No. 12—Ottis Lock.
 District No. 13—M. M. Davis.
 District No. 14—Price Daniel.
 District No. 15—Dewitt Kinard.
 District No. 16-1—Harvey Riviere.
 District No. 16-2—C. E. Nicholson.
 District No. 17—T. R. Robinson.
 District No. 18—E. H. Thornton, Jr.
 District No. 19-1—Geo. F. Howard.
 District No. 19-2—J. M. Heflin.
 District No. 19-3—William Calvin Montgomery.
 District No. 19-4—R. Emmett Morse.
 District No. 19-5—J. E. Winfree, Sr.
 District No. 20—H. Cecil Baker.
 District No. 21—Paris Smith.
 District No. 22—W. J. Galbreath.
 District No. 23—J. J. Olsen.
 District No. 24—R. A. Fuchs.
 District No. 25—Edward L. Vint.
 District No. 26—W. T. McDonald.
 District No. 27—Mrs. Neveille H. Colson.
 District No. 28—Edgar Loggins.
 District No. 29—E. R. Wright.
 District No. 30—Bailey B. Ragsdale.
 District No. 31—H. T. Brown.
 District No. 32—Eugene Talbert.
 District No. 33—Roy I. Tennant, Jr.
 District No. 34—W. J. Bailey.
 District No. 35—Virgil A. Fielden.
 District No. 36—Leighton Cornett.
 District No. 37—T. D. Wells.
 District No. 38—Eugene F. Harrell.

District No. 39—Howard S. Smith.
 District No. 40—G. C. Morris.
 District No. 41—A. S. Broadfoot.
 District No. 42—Dr. R. G. Piner, Jr.
 District No. 43—De Witt Hale.
 District No. 44-1—J. H. (Jim) Waggoner.
 District No. 44-2—Joe A. Keith.
 District No. 45—Roy G. Baker.
 District No. 46—Jim Pace.
 District No. 47—Marvin F. London.
 District No. 48—Clinton Kersey.
 District No. 49—Joe Skiles.
 District No. 50-1—Jeff D. Stinson.
 District No. 50-2—W. O. Reed.
 District No. 50-3—L. C. McDaniel.
 District No. 50-4—Kal Segrist.
 District No. 50-5—Dallas A. Blankenship.
 District No. 51—Rawlins Colquitt.
 District No. 52—John E. Roach.
 District No. 53—Odis A. Weldon.
 District No. 54—James Spencer.
 District No. 55—Harold L. Kennedy.
 District No. 56—Wiley N. Coleman.
 District No. 57—Bowlen Bond.
 District No. 58—James E. Taylor.
 District No. 59—E. B. Hamilton.
 District No. 60—Doyle Pevehouse.
 District No. 61—Ross Hardin.
 District No. 62—Albert L. Derden.
 District No. 63—Cecil T. Rhodes.
 District No. 64—Reese Turner.
 District No. 65—Henry G. Lehman.
 District No. 66—John A. Kerr, Jr.
 District No. 67—John M. Mohrmann.
 District No. 68—John J. Bell.
 District No. 69—Howard G. Hartzog.
 District No. 70—J. Harvey Shell.
 District No. 71—W. E. Pope.
 District No. 72—Augustine Celaya.
 District No. 73—Homer Leonard.
 District No. 74—A. J. Vale.
 District No. 75—B. J. Leyendecker.
 District No. 76—Magus F. Smith.
 District No. 77—Joe Monkhouse.
 District No. 78-1—P. L. Anderson.
 District No. 78-2—Pat Dwyer.
 District No. 78-3—R. L. Reader.
 District No. 78-4—P. E. Dickison.
 District No. 78-5—Fred Felty.
 District No. 79—H. H. Schuene-mann.
 District No. 80—Frank B. Voigt.
 District No. 81-1—M. H. Dowell.
 District No. 81-2—E. J. Cleveland.
 District No. 82-1—James R. Boyd.
 District No. 82-2—Homer Thornberry.
 District No. 83—Robert Stoll.

District No. 84—C. L. Allen.
 District No. 85—Alfred Petsch.
 District No. 86—C. H. Gilmer.
 District No. 87—Albert R. Cauthorn.
 District No. 88—James H. Goodman.
 District No. 89-1—S. J. Isaacks.
 District No. 89-2—W. W. Bridgers.
 District No. 90—Harold M. Hankamer.
 District No. 91—Dorsey B. Hardeman.
 District No. 92—R. H. Reaves.
 District No. 93—Ellis D. Cockrell.
 District No. 94—Weldon Burney.
 District No. 95—Arthur Holland.
 District No. 96—Eugene McNamara.
 District No. 97-1—Mrs. Margaret Harris Gordon.
 District No. 97-2—D. M. Wilson.
 District No. 98—Jack Langdon.
 District No. 99—John K. Russell.
 District No. 100-1—J. R. Faulkner.
 District No. 100-2—Leland M. Johnson.
 District No. 101-1—B. T. (Nub) Johnson.
 District No. 101-2—Obel L. McAlister.
 District No. 101-3—H. A. (Salty) Hull.
 District No. 101-4—Ed Bradford.
 District No. 102—W. N. Corry.
 District No. 103—Delmar King.
 District No. 104—Frank Howington.
 District No. 105—Bose Reader.
 District No. 106—P. L. Crossley.
 District No. 107—Omar Burkett.
 District No. 108—Lester Clark.
 District No. 109—Greene Newell.
 District No. 110—Houston McMurry.
 District No. 111-1—C. M. McFarland.
 District No. 111-2—M. A. Bundy.
 District No. 112—R. R. Donaghey.
 District No. 113—Courtney Hunt.
 District No. 114—Grady Roberts.
 District No. 115—Travis B. Dean.
 District No. 116—J. Bryan Bradbury.
 District No. 117—R. Temple Dickson.
 District No. 118—C. L. Harris.
 District No. 119—Alvin R. Allison.
 District No. 120—A. B. Tarwater.
 District No. 121—R. A. Harp.
 District No. 122—Eugene Worley.
 District No. 123—G. H. Little.
 District No. 124—Max W. Boyer.
 District No. 125—W. R. Chambers.

District No. 126—Troy Kern.
 District No. 127—Mason D. Harrell.

THE STATE OF TEXAS Department of State

I, Edward Clark, Secretary of State of the State of Texas, do hereby certify that the attached is a true and correct list of Representatives whose names have been certified to this Department, in accordance with the law, as having been duly elected at the general election held in this State of November 8th, A. D., 1938.

In Testimony Whereof, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in the City of Austin, this 9th day of January, A. D., 1939.

EDWARD CLARK,
 (Seal) Secretary of State.

ROLL OF MEMBERS IN ALPHABETICAL ORDER

The Honorable Secretary of State directed the Clerk to call the roll of Members-elect in alphabetical order.

The roll of the House was called and the following Members were present:

Allen	Colquitt
Allison	Colson, Mrs.
Alsup	Cornett
Anderson	Corry
Bailey	Crossley
Baker	Daniel
of Fort Bend	Davis of Jasper
Baker of Grayson	Davis of Upshur
Bell	Dean
Blankenship	Derden
Bond	Dickson
Boyd	Dickson
Boyer	Donaghey
Bradbury	Dowell
Bradford	Dwyer
Bray	Faulkner
Bridgers	Felty
Broadfoot	Ferguson
Brown of Cherokee	Fielden
Brown	Fuchs
of Nacogdoches	Galbreath
Bundy	Gilmer
Burkett	Goodman
Burney	Gordon, Mrs.
Cauthorn	Hale
Celaya	Hamilton
Chambers	Hankamer
Clark	Hardeman
Cleveland	Hardin
Cockrell	Harp
Coleman	Harper

Harrell of Bastrop	Pevehouse
Harrell of Lamar	Piner
Harris	Pope
Hartzog	Ragsdale
Heflin	Reader of Bexar
Holland	Reader of Erath
Howard	Reaves
Howington	Reed
Hull	Rhodes
Hunt	Riviere
Isaacks	Roach
Johnson of Ellis	Roberts
Johnson of Tarrant	Robinson
Keith	Russell
Kennedy	Schuenemann
Kern	Segrist
Kerr	Shell
Kersey	Skiles
Kinard	Smith of Frio
King	Smith of Hopkins
Langdon	Smith
Lehman	of Matagorda
Leonard	Spencer
Leyendecker	Stinson
Little	Stoll
Lock	Talbert
Loggins	Tarwater
London	Taylor
Mays	Tennant
McAlister	Thornberry
McDaniel	Thornton
McDonald	Turner
McFarland	Vale
McMurry	Vint
McNamara	Voigt
Mohrmann	Waggoner
Monkhouse	Weldon
Montgomery	Wells
Morris	Westbrook
Morse	White
Newell	Wilson
Nicholson	Winfree
Oliver	Wood
Olsen	Worley
Pace	Wright
Petsch	

A quorum was announced present.

OATH OF OFFICE ADMINISTERED

Mrs. Louise Snow Phinney, Temporary Chief Clerk of the House, under the order and direction of the Honorable Secretary of State, administered the constitutional oath of office to the Representatives-elect, all of them present rising together and repeating the following oath, prescribed by the Constitution, as it was read to them, as follows:

"I,.....do solemnly swear (or affirm) that I will faithfully execute the duties of the office

of Member of the House of Representatives of the Forty-sixth Legislature of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money; or valuable thing, or promised any public office or employment, as a reward for the giving or withholding a vote at the election at which I was elected. So help me God."

ELECTION OF SPEAKER

The Honorable Secretary of State announced that the next business in order is the election of a Speaker of the House of Representatives, of the Forty-sixth Legislature, and announced that nominations for Speaker are now in order.

Hon. G. H. Little of Potter County nominated Hon. R. Emmett Morse of Harris County.

Hon. Houston McMurry of Clay County seconded the nomination of Hon. R. Emmett Morse.

Hon. Howard Hartzog of Calhoun County seconded the nomination of Hon. R. Emmett Morse and moved that nominations for Speaker of the House of Representatives be now closed and that the Chief Clerk be instructed to cast the entire vote of the House for Hon. R. Emmett Morse for Speaker.

The motion prevailed unanimously.

In accordance with the above action, the Chief Clerk then cast the entire vote of the House for Hon. R. Emmett Morse for Speaker.

The Honorable Secretary of State then declared Hon. R. Emmett Morse to be the duly elected Speaker of the House of Representatives of the Forty-sixth Legislature.

OATH OF OFFICE ADMINISTERED

The Honorable Secretary of State announced the appointment of the following members as a committee to escort Honorable R. Emmett Morse and his family, to the Speaker's stand for the purpose of administering the oath of office to him:

Messrs. Leonard, Heflin, Howard, Montgomery and Winfree.

The committee having escorted Mr. Morse to the Speaker's stand, Mr. Morse then took the constitutional oath of office which was administered by Hon. Edward Clark, Secretary of the State.

The Honorable Secretary of State then presented Hon. E. H. Thornton, Jr., of Galveston County.

Mr. Thornton in turn presented Hon. R. Emmett Morse, Speaker of the House of Representatives of the Forty-sixth Legislature.

Mr. Morse then addressed the House, speaking as follows:

"Mr. Secretary of State, Mr. Thornton, Fellow Members, and Friends:

I am deeply grateful for this confidence you have shown in me, but not unmindful of the responsibilities which go with the office. In being elevated to the high position of Speaker of this House, I feel that I have reached the climax of a long and most enjoyable legislative career, which will have extended over a period of 14 years at the end of the Forty-sixth Legislature.

During my service as a Member of this body it has been my pleasure to serve with many of Texas' ablest Legislators and under the leadership of five Speakers of outstanding ability. They have set a standard, which will be difficult to match.

However, it is my belief that we should have a feeling of confidence in approaching our task. During the last 14 months it has been my privilege to visit nearly every Legislative District in Texas, and I have come to know the personnel of the Forty-sixth House extremely well for this period of its existence. As a result of my knowledge of the membership, I feel no hesitancy in saying that we have in this House as fine a body of men and women as it has ever been my pleasure to know.

I believe the results of our deliberations will prove I am not too optimistic.

In carrying out my duties as Speaker I would like to be of as much assistance to the Members as is possible. Likewise, it is my intention to offer every reasonable cooperation to the Executive Branch of our government and to the Senate.

I am not misled into believing that I am the ablest Member of the House whom you might have selected as your Speaker. We have within the membership many who are as well or

better equipped to preside over this body. I hope I may feel free to call upon them from time to time during the next four months.

I wish to express my appreciation to the newspapers over the State and particularly to the Capitol correspondents for the many nice things they have had to say not only during the past year but throughout the years I have been in the House.

During the past few days it has been necessary for me to call upon many Members of the House for assistance in making preparations for this session. Had it not been for their efforts, my task would have been an impossible one. I wish to express my sincere thanks to all who have helped.

I am happy today to have with me my wife, and my son, Robert Emmett, Jr. They and my daughter, Eugenia, who was unable to leave her studies at Rice Institute, have been a constant inspiration to me. The only regret I have is that during the term of the 45th Legislature the Supreme Ruler of the Universe has, in His wisdom, seen fit to call to a Higher House the two loved ones who would have most enjoyed this happy occasion.

In electing me Speaker of the House you have bestowed upon me the highest honor which is within your power to bestow, but it will prove an empty honor indeed unless through the cooperation of you and each of you, we can within the next four months accomplish the major portion of a constructive program for our State.

To that end I pledge to you and to the people of Texas the best efforts at my command, and earnestly plead for a like spirit of endeavor on the part of each and every Member of the House.

I thank you.

PRESENTATION OF GAVEL TO SPEAKER OF THE HOUSE

The Honorable Secretary of State presented Hon. Homer Leonard who presented the Speaker with a gavel, Mr. Leonard speaking as follows:

"Here in Austin, is an old oak, famed for its beauty, tradition and history. It stands in the 500 block of Crockett Street, on the bank of the Colorado. Its age is half a thousand years, and its branch spread is 120 feet, perhaps the greatest in all of North America. History has named it the Treaty Oak.

It is said that the Treaty Oak has

played an important and romantic part in the history of the Lone Star State; battles have been planned, pacts signed, important conferences planned, feasts and religious ceremonies celebrated beneath its mighty branches, while many a Texas pioneer whose name glows on history's pages, has sought rest and shelter in its gracious shade.

Here, too, was nature's council chamber for the Tejas and the Comanches. They held their powwows here and it is said also that the Indian maidens, troubled by the hazards of war, gathered here when the low-hung moon was a crescent, and concocted from the green balls of the oak, a sauce which they drank to insure the safe return of their braves from battle. This same sauce, sweetened with honey, was the Tejas maidens' panacea for unrequited love.

For a hundred years, our people have gained inspiration at the roots of this oak; the beauty of its branches and the tradition of its past have excited the eloquence of orators, and more than a hundred poets have sung its praises.

So, in the light of these things, and because you are one who reveals in the glory of Texas' past, and looks forward to the bright promise of Texas' future, the Members of the House have asked me to present to you this morning, this gavel, carved from a fallen limb of the Treaty Oak."

PROVIDING FOR SELECTION OF SEATS

Mr. Mays offered the following resolution:

H. S. R. No. 1, Providing for selection of seats.

Be It Resolved, That the seats now occupied by Members of the House be assigned to them permanently for the Forty-sixth Legislature.

MAYS,
SMITH of Frio.

The resolution was read second time and was adopted.

ADOPTING TEMPORARY RULES OF THE HOUSE

Mr. Alsup offered the following resolution:

H. S. R. No. 2, Adopting temporary Rules of the House.

Be it Resolved, That the Rules heretofore adopted by the Forty-fifth

Legislature be observed in the proceedings of the House of Representatives of the Forty-sixth Legislature until 11:00 a. m., on Thursday, January 12, 1939; and, be it further

Resolved, That the Speaker appoint a temporary Committee on Rules to consist of five Members, and a temporary Committee on Appropriations to consist of five Members.

ALSUP,
NICHOLSON.

The resolution was read second time, and was adopted.

TEMPORARY COMMITTEE ON RULES APPOINTED

The Speaker announced the appointment of the following temporary Committee on Rules:

Mr. Alsup, Mr. Leonard, Mrs. Colson, Mr. Thornton and Mr. Hankamer.

TEMPORARY COMMITTEE ON APPROPRIATIONS APPOINTED

The Speaker announced the appointment of the following temporary Committee on Appropriations:

Mr. Thornberry, Mr. Leyendecker, Mr. Shell, Mr. Celaya and Mr. Fielden.

FIXING SALARIES OF OFFICERS OF THE HOUSE

Mr. Reaves offered the following resolution:

H. S. R. No. 3, Fixing salaries of Officers of the House.

Be it Resolved by the House of Representatives, That the compensation of the elected officials of the House be fixed, as follows:

Chief Clerk	\$8.50 per day
Sergeant-at-Arms	\$8.50 per day
Reading Clerk	\$8.50 per day
Journal Clerk	\$8.50 per day
Engrossing Clerk	\$8.50 per day
Enrolling Clerk	\$8.50 per day
Doorkeeper	\$7.50 per day
Assistant Door- keeper	\$7.50 per day
Assistant Read- ing Clerk	\$6.00 per day
Calendar Clerk	\$8.50 per day
Chaplain	\$7.50 per day

REAVES,
HAMILTON.

The resolution was read second time, and was adopted.

PROVIDING FOR CERTAIN EMPLOYEES AND SUPPLIES OF THE HOUSE

Mr. Leonard offered the following resolution:

H. S. R. No. 4, Providing for Employees and Supplies of the House.

Whereas, It is the duty of the State of Texas to furnish the House of Representatives and its Members with the proper facilities, employees, and supplies to permit them to conduct and transact their official business in a business-like and efficient manner; therefore, be it

Resolved by the House of Representatives of the Forty-sixth Legislature of the State of Texas, That the Speaker of the House shall appoint the following employees for the Regular Session of the Forty-sixth Legislature to serve for such compensation as is herein provided, unless otherwise specified:

1. Parliamentarian to the House at \$10.00 per day.
2. Two Secretaries to the Speaker, one at \$7.50 per day, and one at \$5.00 per day.
3. One porter for the Speaker, at \$2.50 per day.
4. One Bill Clerk, at \$4.00 per day.
5. One Assistant to the Chief Clerk, at \$7.00 per day.
6. One Secretary to the Chief Clerk, at \$5.00 per day.
7. One Bookkeeper for the Chief Clerk, at \$5.00 per day.
8. One Stenographer to the Chief Clerk, at \$5.00 per day.
9. One Clerk to the Chief Clerk, at \$4.00 per day.
10. One Assistant to the Journal Clerk, at \$5.00 per day.
11. One Caption Clerk for Journal Clerk, at \$4.00 per day.
12. Two Assistants to the Calendar Clerk, at \$4.00 per day, each.
13. One Clerk to the Committee on Appropriations, at \$7.50 per day.
14. One Assistant Clerk to the Committee on Appropriations, at \$5.00 per day.
15. One Reference Librarian, and Data Clerk, at \$7.50 per day.
16. Two Stenographers for the Committee on Appropriations, at \$5.00 per day, each.
17. One Filing Clerk to the Committee on Appropriations, at \$4.00 per day.
18. One Superintendent of Stenographers, at \$7.50 per day.
19. Forty Expert Stenographers and Typists, at \$5.00 per day, each.
20. One Superintendent of Committee Clerks, at \$5.00 per day.
21. Twenty Committee Clerks, at \$4.00 per day, each.
22. One Clerk to the Committee on Claims and Accounts, at \$5.00 per day.
23. One Clerk for the Committee on Contingent Expenses, at \$6.00 per day.
24. One Bookkeeper to the Committee on Contingent Expenses, at \$4.00 per day.
25. One Mailing Clerk for the Journal, at \$5.00 per day.
26. One Assistant Mailing Clerk for the Journal, at \$3.00 per day.
27. One Supply Clerk and Storekeeper, at \$3.00 per day.
28. One Assistant Supply Clerk, at \$2.50 per day.
29. One Page to the Committee on Contingent Expenses, at \$2.50 per day.
30. One Page to the Doorkeeper, at \$3.00 per day.
31. One Page to the Assistant Doorkeeper, at \$3.00 per day.
32. One Page for the Enrolling and Engrossing rooms, at \$2.50 per day.
33. One Page for the stenographic force, at \$2.50 per day.
34. One Messenger to carry papers to the Confederate Home, at \$2.00 per day.
35. Twenty-four Pages, at \$2.50 per day, each.
36. One Multigraph and/or Mimeograph Clerk, at \$4.00 per day.
37. One Secretary to Mr. Alsup, at \$4.00 per day.
38. Four Assistant Sergeants-at-Arms, at \$4.00 per day, each.
39. One Secretary to Sergeant-at-Arms, at \$4.00 per day.
40. One Night Watchman, at \$2.50 per day.
41. One Assistant Night Watchman, at \$2.50 per day.
42. Ten Porters, at \$2.00 per day, each.
43. One Men's Wash Room Porter, at \$3.00 per day.

44. One extra duty Porter, at \$2.50 per day.

45. One Maid for ladies' lounge room, at \$2.00 per day.

46. One Superintendent of Porters, at \$3.50 per day.

47. Two Elevator Boys, at \$2.00 per day, each.

48. One Night Houseman, at \$2.50 per day.

49. One Chief Operator for Voting Machine, at \$7.50 per day.

50. One Assistant Operator for Voting Machine, at \$5.00 per day.

51. One House Postmaster, at \$4.00 per day.

Be it further resolved, That it shall be the duty of the Speaker, and he is hereby empowered, to dispense with the services of any employee who, in his judgment, is not further needed; or for the misconduct of any employee, and he shall have the power to appoint extra help whenever in his judgment it is needed. The duties of the employees heretofore mentioned shall be such as are required by the Speaker of the House of Representatives, and he is hereby empowered to apportion the hours and pay of part-time employees.

Any of the employees may be excused by the Speaker for causes deemed by him sufficient; provided further, that any employee who shall absent himself without leave shall not receive any compensation for the time missed during his absence. The salaries of the employees shall begin when they are instructed to begin work by the Speaker; be it further

Resolved, That each Member of the House of Representatives of the Forty-sixth Legislature be, and is herewith, allowed a credit in the sum of One Hundred (\$100.00) Dollars each, with the Committee on Contingent Expenses for expenditure for stationery, supplies, postage, telephone tolls and/or telegraph tolls. The Speaker shall be allowed an additional Fifty (\$50.00) Dollars, the Chief Clerk shall be allowed Fifty (\$50.00) Dollars, the Committee on Contingent Expenses, the Committee on Claims and Accounts, and the Sergeant-at-Arms shall each be allowed Twenty (\$20.00) Dollars, and the Committee on Appropriations shall be allowed Fifty (\$50.00) Dollars.

The Committee on Contingent Expenses shall procure and keep for the

use of the House, its Members, Officers and Committees, such stationery, stamps, and other supplies as may be needed and ordered by the House, Speaker, and/or the Chairman of the Committee on Contingent Expenses. The clerk of this Committee shall keep an itemized account of the quantity of every kind of material received, the date it was received, the price paid therefor, and the persons from whom it was received. The unused remainder, if any, shall be delivered, at the close of the session, to the Board of Control for safe-keeping. The office of this Committee shall be kept open daily, except Sundays, from 8:30 a. m. until one hour after the adjournment of the House, and on Sundays from 9:00 a. m. to 11:00 a. m. The Committee shall keep a set of books, containing an account for each Member, Officer, and/or Committee authorized by the House, to expend stationery, supplies, stamps, telephone and/or telegraph tolls, and shall charge to each such account its daily withdrawals. The Clerk of the Committee shall furnish a statement, to each, of the accounts, monthly, or when requested.

The Committee on Contingent Expenses shall have jurisdiction over the mailing of the Journal.

Each Member shall be furnished with three daily and one weekly newspapers, of his own selection.

All requisitions for paper and supplies necessary for the preparation of bills and/or resolutions, for the use of the Enrolling and Engrossing rooms and/or the standing committees of the House shall be under the direction and care of the Committee on Contingent Expenses. This Committee is also authorized to rent a sufficient number of typewriters and other business machines for the use of the House and its employees, and to furnish same with proper materials; be it further

Resolved, That eleven hundred (1,100) copies of the House Journal be printed daily; one hundred (100) to be delivered to the Senate, one copy to be placed on each Member's desk daily, seventy-five (75) copies to be delivered to the State Library, and the remainder to be left with the Committee on Contingent Expenses for distribution under the direction of the Speaker; and, be it further

Resolved, That no allowances included in this resolution shall be expended except for actual salaries and/or actual expenses of the House, its Members, Officers, Committees, and/or Employees hereabove set out. All such funds necessary to be expended in payment of the above shall be paid out of the Contingent Expense Fund of the House.

The resolution was read second time, and was adopted.

RELATIVE TO MILEAGE AND PER DIEM OF MEMBERS OF THE LEGISLATURE

Mr. Anderson offered the following resolution:

H. C. R. No. 1, Relative to mileage and per diem of Members of the Legislature.

Be It Resolved by the House of Representatives, the Senate concurring, That the pay of Members of the Regular Session of the Forty-sixth Legislature be, and is hereby, fixed at Ten (\$10.00) Dollars per diem; and, be it further

Resolved, That in addition to the per diem, the Members of each House shall be entitled to mileage in going to and returning from the seat of government, which mileage shall be Two Dollars and Fifty Cents (\$2.50) for every twenty-five (25) miles traveled, the distance to be computed by the nearest and most direct route of travel, from a table of distances prepared by the Comptroller, to each county seat now or hereafter to be established; no Member to be entitled to mileage for any extra session that may be called in one (1) day after the adjournment of the Regular or any Called Session of this Legislature.

ANDERSON,
LEONARD.

The resolution was read second time, and was adopted.

PROVIDING FOR JOINT SESSION TO HEAR ADDRESS OF GOVERNOR JAMES V. ALLRED

Mr. Morris offered the following resolution:

H. C. R. No. 2, Providing for Joint Session to hear address of Governor James V. Allred.

Be It Resolved by the House of Representatives, the Senate concurring, That the two Houses meet in Joint Session at ten-thirty o'clock a. m.,

Wednesday, January 11, 1939, for the purpose of hearing the message of His Excellency, the Honorable James V. Allred, Governor of the State of Texas; and that the Governor be invited to deliver his message in person to the Legislature in Joint Session.

MORRIS,
THORNTON,
LEONARD.

The resolution was read second time, and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee, on the part of the House, to escort His Excellency, Governor James V. Allred, to the Speaker's stand:

Messrs. Morris, Thornton, Wood, Ferguson and Hardeman.

PROVIDING FOR JOINT SESSION TO COUNT VOTES FOR GOVERNOR AND LIEUTENANT GOVERNOR

Mr. Harris offered the following resolution:

H. C. R. No. 3, Providing for Joint Session to count votes cast for Governor and Lieutenant Governor.

Be It Resolved by the House of Representatives, the Senate concurring, That the House of Representatives and Senate meet in Joint Session at 3:00 p. m., January 12, 1939, in the Hall of the House of Representatives for the purpose of counting the votes and certifying the election of the Governor and Lieutenant Governor.

HARRIS,
DEAN.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following tellers, on the part of the House:

Messrs. Harris, Dean, Harrell of Bastrop, Derden and Kern.

COMMITTEE TO MAKE ARRANGEMENTS FOR INAUGURATION OF GOVERNOR AND LIEUTENANT GOVERNOR

Mr. Johnson of Tarrant offered the following resolution:

H. C. R. No. 4, Committee to make arrangements for Inauguration of Governor and Lieutenant Governor.

Whereas, The Constitution of the State of Texas fixes the inauguration

of the newly elected Governor and Lieutenant Governor for the first Tuesday following the convening of the Legislature in each Regular Biennial Session; and

Whereas, It is necessary that a Joint Legislative Inaugural Committee be appointed to make all arrangements for the carrying out of said inauguration; now, therefore

Be It Resolved by the House of Representatives, the Senate concurring, That the President of the Senate appoint five Members of the Senate and that the Speaker of the House appoint five Members of the House to compose said Joint Legislative Inaugural Committee; and, be it further

Resolved, That said Joint Legislative Inaugural Committee be hereby empowered to do all things necessary in arranging for the place and order of events in said inauguration; and, be it further

Resolved, That there be paid to the finance chairman of the Austin Inaugural Reception Committee the sum of Five Hundred Dollars (\$500.00) on the part of the House and Five Hundred Dollars (\$500.00) on the part of the Senate out of the Contingent Expense Fund of the Regular Session of the Forty-sixth Legislature to defray expenses incident to said inauguration.

The resolution was read second time, and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following, on the part of the House, as Members of the Joint Legislative Inaugural Committee:

Messrs. Leonard, Johnson of Tarrant, Alsup, Thornberry and Boyd.

(Mr. Leonard in the Chair.)

HOUSE NOTIFIED

A committee from the Senate appeared at the bar of the House, and being duly announced, stated that the Senate is now organized and ready for the transaction of business.

(Speaker in the Chair.)

MESSAGE FROM THE SENATE

Austin, Texas, January 10, 1939.
Hon. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has passed the following:

S. C. R. No. 1, Adopting temporary Joint Rules of House and Senate.

S. C. R. No. 2, Relative to appointment of a committee of five Members of Senate and House to count the votes in the recent election for Governor and Lieutenant Governor and to make the necessary arrangements for their inauguration.

The following are appointed on the part of the Senate:

Brownlee, Roberts, Moore, Hardin, and Martin.

Respectfully,

BOB BARKER,

Secretary of the Senate.

ADOPTING TEMPORARY JOINT RULES

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 1, Adopting temporary Joint Rules.

Be It Resolved by the Senate, the House of Representatives concurring, That the Joint Rules of the House and Senate of the Forty-fifth Legislature be, and they are hereby made the Temporary Joint Rules of the House and Senate of the Forty-sixth Legislature.

The resolution was read second time, and was adopted.

PROVIDING FOR COMMITTEES TO COUNT VOTES CAST FOR GOVERNOR AND LIEUTEN- ANT GOVERNOR

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 2, Providing for Committees to count votes cast for Governor and Lieutenant Governor.

Be It Resolved by the Senate of Texas, the House of Representatives concurring, That the President of the Senate appoint five (5) Senators and the Speaker of the House of Representatives appoint five (5) Members of the House of Representatives to count the votes in the recent election for Governor and Lieutenant Governor, and to make the necessary arrangements for their inauguration.

The resolution was read second time, and was adopted.

TO EXTEND CONGRATULATIONS OF THE HOUSE

Mr. Kersey offered the following resolution:

H. S. R. No. 8, To extend congratulations of the House.

Whereas, The Governor-elect, W. Lee O'Daniel, by recent action and statement has shown high regard for the Constitution of Texas, and differing from many Governors in the past has declared publicly that he will observe the Constitutional mandate requiring the Legislature to enact the laws and the Governor to execute them, adding that he will merely make recommendations and will do no lobbying for or against measures, that he will make no use of pressure from the Governor's office; and

Whereas, Governor-elect O'Daniel further declares he will have no spokesman either in the House or Senate but will leave these two bodies free to use their own discretion on all legislative issues, which sets a precedent in the gubernatorial office; and

Whereas, It is well known that in the past much confusion, quarrels and disagreements arose between the Governor's office and the Legislature due to the conflict of interests and failure to observe the Constitutional prerogative of the Legislature, which resulted detrimentally for the people of Texas and all other interests; and

Whereas, Governor-elect O'Daniel has clearly indicated that he sincerely desires to cooperate with the Forty-sixth Legislature; therefore, be it

Resolved, That the House of Representatives of the Forty-sixth Legislature for the above reasons does now congratulate Governor-elect O'Daniel on his stand on the Constitution and will cooperate with him in his desire to carry out its provisions.

The resolution was read second time, and was adopted.

Mr. Morris moved to reconsider the vote by which the resolution was adopted.

The motion to reconsider prevailed.

Mr. Morris then moved to refer the resolution to the Committee on State Affairs.

The motion prevailed.

TO PROVIDE FOR BLOCK PIC- TURE OF MEMBERS OF THE HOUSE

Mr. Fuchs offered the following resolution:

H. S. R. No. 9, To provide for block picture of Members of the House.

Whereas, It has been the custom of the House to leave a block-picture of its Members; and

Whereas, Several studios of Austin wish to compliment the Members of this House; therefore, be it

Resolved, That the Speaker appoint a committee of five to select, to the advantage of this House a photographer to make, frame, and hang the picture of the Forty-sixth Legislature; and, be it further

Resolved, That (1) the photographer doing the work must be a first-class photographer and able to do first-class work; (2) a uniform price must be agreed upon to be charged Members for individual and miniature photographs; and, be it further

Resolved, That the studio selected to do this work shall do said work without obligating any Member; that the studio shall begin at once to complete the picture so that it may be delivered during this Regular Session; that they will make a first-class picture of each Member and place in the group so as to show as nearly as possible the location of his or her seat; that under each picture is to appear the name of that Member and his post office address.

FUCHS,
RHODES,
TURNER,
LEHMAN,
BOND.

The resolution was read second time, and was adopted.

HOUSE BILL ON FIRST READING

The following House bill, introduced today, was laid before the House, read first time, and referred to the Committee on Appropriations:

By Mr. Thornberry:

H. B. No. 1, A bill to be entitled, "An Act making an appropriation of

the sum of Two Hundred and Fifty Thousand Dollars (\$250,000), or so much thereof as may be necessary, out of any funds in the State Treasury, not otherwise appropriated, to pay the contingent expenses, and to pay the mileage and per diem of Members and the per diem of officers and employes of the Regular Session of the Forty-sixth Legislature, and to pay any unpaid accounts of the Second Called Session of the Forty-fifth Legislature, and declaring an emergency."

ADJOURNMENT

Mr. Anderson moved that the House adjourn until 10:15 o'clock a. m., tomorrow.

Mr. Dean moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Hamilton moved that the House recess until 3 o'clock p. m., today.

The motion of Mr. Dean prevailed and the House, accordingly, at 1:20 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

In Memory of
Mr. Henry D. Morse
and
Mrs. Willie Elnor Morse

Mr. Heflin offered the following resolution:

H. S. R. No. 5, In memory of Mr. Henry D. Morse and Mrs. Willie Elnor Morse.

Whereas, On December 28, 1938, The Almighty, in His infinite wisdom, called home from our midst Mr. Henry D. Morse, of Houston, Texas, the father of our beloved Speaker, the Honorable Emmett Morse; and

Whereas, Mr. Henry D. Morse was one of the outstanding citizens of his community. He was born and reared in the city of Houston, Texas, and he early imbibed the political ideas and ideals of the old South. He was a man of charming personality, scrupulously honest and with an undaunted faith in mankind. He had faith in himself, faith in his fellow-man, and faith in the goodness of his God. He has left a great and imperishable imprint upon the minds of those who knew him best, both in his private life and in his public conduct. He bore the insignia of an unselfish service to the community in which he lived, with a keen interest in local and State government, school affairs and other civic enterprises. He worked out his philosophy of life and then lived by it. He was a businessman, having been in the real estate business for 35 years, but he did not allow his business to dominate his life. Mr. Morse was noted for his sincerity, his love of truth and his ever readiness to help any person or any cause he believed to be worthy.

On March 21, 1937, his beloved wife preceded him to that peaceful and beautiful home above to await the coming of her loved ones.

The survivors of this beloved couple left to mourn the loss of ones so dear are H. D. Morse, R. Emmett Morse and Lawrence A. Morse, all sons, and a sister, Mrs. L. D. Williams.

Now, therefore, be it resolved by the House of Representatives of the State of Texas, That the Members express their sincerest and most profound sorrow at the passing of these two noble characters; and, be it further

Resolved, That a copy of this resolution be spread on the Journal of today in memory of Mr. Henry D. Morse and Mrs. Willie Elnor Morse, and that a copy be sent to each Member of the family.

HEFLIN,
HOWARD,
MONTGOMERY,
WINFREE.

The resolution was read second time.

Signed—Allen, Allison, Alsup, Anderson, Bailey, Baker of Fort Bend, Baker of Grayson, Bell, Blankenship, Bond, Boyd, Boyer, Bradbury, Bradford, Bray, Bridgers, Broadfoot, Brown of Cherokee, Brown of Nacogdoches, Bundy, Burkett, Burney, Cauthorn, Celaya, Chambers, Clark, Cleveland,

Cockrell, Coleman, Colquitt, Mrs. Colson, Cornett, Corry, Crossley, Daniel, Davis of Jasper, Davis of Upshur, Dean, Derden, Dickison, Dickson, Donaghey, Dowell, Dwyer, Faulkner, Felty, Ferguson, Fielden, Fuchs, Galbreath, Gilmer, Goodman, Mrs. Gordon, Hale, Hamilton, Hankamer, Harde-
man, Hardin, Harp, Harper, Harrell of Bastrop, Harrell of Lamar, Harris, Hartzog, Holland, Howington, Hull, Hunt, Isaacks, Johnson of Ellis, Johnson of Tarrant, Keith, Kennedy, Kern, Kerr, Kersey, Kinard, King, Langdon, Lehman, Leonard, Leyendecker, Little, Lock, Loggins, London, Mays, McAlister, McDaniel, McDonald, McFarland, McMurry, McNamara, Morh-
mann, Monkhouse, Morris, Newell, Nicholson, Oliver, Olsen, Pace, Petsch, Pevehouse, Piner, Pope, Ragsdale, Reader of Bexar, Reader of Erath, Reaves, Reed, Rhodes, Riviere, Roach, Roberts, Robinson, Russell, Schuene-
mann, Segrist, Shell, Skiles, Smith of Frio, Smith of Hopkins, Smith of Matagorda, Spencer, Stinson, Stoll, Talbert, Tarwater, Taylor, Tennant, Thornberry, Thornton, Turner, Vale, Vint, Voigt, Waggoner, Weldon, Wells, Westbrook, White, Wilson, Wood, Worley and Wright.

On motion of Mr. Thornton, the names of all Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

In Memory of
Hon. Jeff J. Strickland

Mr. Leonard offered the following resolution:

H. S. R. No. 7, In memory of the Honorable Jeff J. Strickland.

Whereas, In the interim since the last Session of the Texas Legislature and on the fifth day of July, 1938, God in His wisdom took from our earthly ranks the great soul of Hon. Jeff J. Strickland, of San Antonio, Texas, honorable in heart, honorable in works, honorable in faith, and honored by all who were privileged to know him; and

Whereas, All of Texas sincerely bows its head in a spirit of respect for the great loss which each and every person who knew him feels for this beloved and revered pioneer spirit, who distinguished his length of days by his outstanding service and devotion to his fellow man, who used his influence to uplift and develop this great State, and who gave unstintingly of his energies for the welfare of the Texas people, and who has been characterized by the Chief Executive of this State as a fine, clean character who loved his friends, and one of Texas noblest men; and

Whereas, The Members of the Legislature today wish to offer some expression of regret and profound sorrow at the passing of this outstanding statesman and worthy citizen, and it behooves them to survey the life history of this departed former Member of both Houses of this Legislature. Born in a log cabin in Alder Branch Community in Anderson County on September 13, 1882, he received his early education there, later attended Sam Houston Normal at Huntsville, and graduated from the Law School at the University of Texas. He was elected as Anderson County Attorney for two terms after having served in the House of Representatives in the Thirtieth and Thirty-first Legislatures, 1907-1911. After serving as Attorney for his County, he returned to the Legislature to serve in the Senate in the Thirty-fifth and Thirty-sixth Legislatures. In 1924, Governor Pat M. Neff appointed Senator Strickland Secretary of State, where he made an enviable record. He later retired to the practice of law in San Antonio, having previously practiced in Palestine and in Eastland. He became general counsel for the Interstate and Publix Theaters of Texas and Chairman of the Board of Directors of the Great American Life Insurance Company. At the time of his death he was a member of the First Presbyterian Church in San Antonio, a member of Alzafar Temple, and the Texas Bar Association. Survivors are a daughter, Miss Pauline Strickland, of San Antonio, a sister, Mrs. O. C. Funderburk, of Eastland, and a brother, D. F. Strickland, of Mission. During the later years of his life, Senator Strickland was the owner of a ranch home in Comal County, where he spent most of his spare time enjoying the out-of-doors. Here he became known for his splendid hospitality in having his friends visit him. It was in this home that he was stricken suddenly before his death; and

Whereas, He has given to his surviving family a heritage of which they may be justly proud and a career graven on the hopes and hearts of his fellow men; and

Whereas, Throughout his entire public career he has been recognized as one of the State's ablest lawyers and finest statesmen, and in all ways worthy of emulation, vitally interested in all matters for the public good, doing justice, loving mercy, and walking humbly in the ways of God, but above all enjoying the time he spent in making life's roadway a happier one for his friends to travel; and

Whereas, It would be unfit here to give a biography of this great person's

life without trying to give a part of his philosophy, it may be truly said that he believed that:

"Around the corner I have a friend,
In this great city that has no end;
Yet days go by and weeks rush on,
And before I know it a year is gone,
'Tomorrow,' I say, 'I will call on Jim,
Just to show that I'm thinking of him.'
But tomorrow comes and tomorrow goes,
And the distance between us grows and grows
Around the corner, yet miles away,
'Here's a telegram, Sir,'—Jim died today!
And that's what we get—and deserve in the end
Around the corner, a vanished friend."

Whereas, The monument erected to the memory of the Hon. Jeff J. Strickland is indelibly enshrined on the hearts and lives of those souls to whom he so lavishly "gave his gifts"; and

Whereas, We of the legion who were privileged to call him a friend feel a deep sense of personal loss and abiding sympathy for his bereaved family; now, therefore, be it

Resolved by the House of Representatives, That a copy of this resolution be spread on the memorial pages of the House Journal of this day in memory of the deceased and as a tribute to a man who brought honor in the faithful service he had rendered his State at all times; and, be it further

Resolved, That the Chief Clerk of the House of Representatives send the family of the deceased a copy of this resolution under the seal of the House of Representatives, and that when the House adjourns today it do so with all honor and respect accorded to the life, works, and faith of the Hon. Jeff J. Strickland.

LEONARD,
HARTZOG,
THORNTON,
MORSE,
HANKAMER,
LITTLE,
READER of Bexar.

The resolution was read second time.

Signed—Allen, Allison, Alsup, Anderson, Bailey, Baker of Fort Bend, Baker of Grayson, Bell, Blankenship, Bond, Boyd, Boyer, Bradbury, Bradford, Bray, Bridgers, Broadfoot, Brown of Cherokee, Brown of Nacogdoches, Bundy, Burkett, Burney, Cauthorn, Celaya, Chambers, Clark, Cleveland, Cockrell, Coleman, Colquitt, Mrs. Colson, Cornett, Corry, Crossley, Daniel, Davis of Jasper, Davis of Upshur, Dean, Derden, Dickison, Dickson, Donaghey, Dowell, Dwyer, Faulkner, Felty, Ferguson, Fielden, Fuchs, Galbreath, Gilmer, Goodman, Mrs. Gordon, Hale, Hamilton, Hardeman, Hardin, Harp, Harper, Harrell of Bastrop, Harrell of Lamar, Harris, Heflin, Holland, Howard, Howington, Hull, Hunt, Isaacks, Johnson of Ellis, Johnson of Tarrant, Keith, Kennedy, Kern, Kerr, Kersey, Kinard, King, Langdon, Lehman, Leyendecker, Lock, Loggins, London, Mays, McAlister, McDaniel, McDonald, McFarland, McMurry, McNamara, Mohrmann, Monkhouse, Montgomery, Morris, Newell, Nicholson, Oliver, Olsen, Pace, Petsch, Pevehouse, Piner, Pope, Ragsdale, Reader of Erath, Reaves, Reed, Rhodes, Riviere, Roach, Roberts, Robinson, Russell, Schuenemann, Segrist, Shell, Skiles, Smith of Frio, Smith of Hopkins, Smith of Matagorda, Spencer, Stinson, Stoll, Talbert, Tarwater, Taylor, Tennant, Thornberry, Turner, Vale, Vint, Voigt, Waggoner, Weldon, Wells, Westbrook, White, Wilson, Winfree, Wood, Worley and Wright.

On motion of Mr. Harper, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.